

REMARKS

Applicant requests reconsideration and further examination of this application.

In response to the objection based on the figures not including all the reference signs in the Description, Figure 1 has been amended to including the reference signs 10, 12, and 12a. This amendment solves the objection.

In response to the rejections of claim 1 under 102(b), claim 1 has been amended to include the phrase “for use in training a player in a spherical ball sport such as soccer, basketball or field hockey”. The term “soccer” is now used in claim 1, and has been amended into the specification (on pages 1, 2, and 4 and the Abstract) as a parenthetical clarification of the British Applicant’s original term “football.” This is done to avoid possible confusion with “American football.” This clarification adds no new matter, as the original specification describes use of the invention in training for various sports including the sport wherein a ball will be passed with the foot and the ball will bounce off the target back to the trainee – clearly, in view of the original term “football,” this is British football and American soccer. See, for example, page 1, lines 18 - 24, and page 4, lines 20 - 35.

Further, claim 1 now includes the term “field hockey” and the specification has been amended to read “field hockey” instead of “hockey” to avoid any possible confusion with “ice hockey”. Again, this adds no new matter, as it is clear that the British Applicant was using British terminology for the sport normally referred to by Americans as “field hockey. ”

The original terminology in the specification also includes “basketball” as an example of the sports for which the training apparatus is useful. With this and the above comments in mind, the phrase “spherical ball sport” is included in claim 1 without adding new matter.

Claim 1 has also been amended to include the phrase “the targets being positioned and adapted such that a ball struck by the player against a target will rebound into the training area so that the player can immediately strike the ball at the same or

another target". Support for this amendment may be found at page 1 line 37 to page 2 line 2 of the application as filed, so no new matter is added.

It is submitted that these amendments patentably distinguish the invention from the cited prior art. *San Emeterio* (US Patent 3,700,240) discloses an apparatus in which missiles are directed at the targets, with no rebound required or provided for. *San Emeterio* therefore does not disclose a training apparatus for a spherical ball sport, and nor does it disclose a training apparatus in which the targets are positioned and adapted such that a ball struck by the player against a target will rebound into the training area so that the player can immediately strike the ball at the same or another target.

Similarly, *Grasso* (US Patent 4,869,503) discloses an apparatus comprising a number of mannequins which can replace some of the human players required in a game of American football. *Grasso* does not provide for or require the ball to rebound from the targets, and in fact the softness and resilience of the targets (so that they will not harm the human players) will likely prevent the ball rebounding therefrom. See *Grasso* column 3, lines 62 - 66. *Grasso* does not disclose a training apparatus for a spherical ball sport, and nor does it disclose a training apparatus in which the targets are positioned and adapted such that a ball struck by the player against a target will rebound into the training area so that the player can immediately strike the ball at the same or another target. There is no suggestion or motivation to provide rebound and re-strike adaptation in the *Grasso* device, as such an adaptation would make no sense in training for American football.

Accordingly, it is submitted that claim 1 as amended is allowable.

Claim 4 has been amended to depend upon claim 3, which provides antecedence for the term "frame member", in response to the Examiner's objection numbered 3. claim 6 has been amended to depend upon claim 5, which provides antecedence for the term "base member", in response to the Examiner's objection numbered 4.

In addition, the Applicant has taken the opportunity to clarify the structure of the base member in claims 5 and 7, specifically that the base member is defined as a ring surrounding the training area.

Applicant contends that the dependent claims 2 - 11 are also allowable as being dependent upon allowable claim 1, and that these claims are also allowable in their own right. Referring specifically to selected claims:

In claim 2, a retaining means is located between adjacent targets. This is clearly not disclosed or suggested by *San Emerterio* or *Grasso*, and there is no motivation in either *San Emerterio* or *Grasso* to provide such a retaining means.

In claim 7, the base member is in the form of a substantially circular ring surrounding the training area for the player. *San Emerterio* teaches that the player stands a distance from the target grouping, so the *San Emerterio* player's training area is not surrounded by a substantially circular ring. *Grasso* teaches away from such a substantially circular ring arrangement, due to the nature of American football, wherein the player throws the football forward to one of the scattered targets to make forward progress toward the next "down," and the player's training area would not be surrounded by a substantially circular ring with targets.

Applicant has added new method claims 12 - 20. Independent claim 12 recites the method of providing a training apparatus (which is described as it is in apparatus claim 1), the player entering the training area with a ball, and the player delivering the ball against a target, receiving the rebounding ball and delivering the ball against another target. This method claim 12 is not anticipated by, or made obvious by, the cited prior art for reasons discussed above. *San Emerterio* teaches that the player stands a distance from, and does not enter, the area around which the targets are arranged, and, as argued above, *San Emerterio* does not disclose or suggest the player receiving a rebounding object and delivering the object against another target. *Grasso* also does not disclose or suggest the player receiving a rebounding object and delivering the object against another target. Instead, *Grasso* teaches a scattering of American football mannequins for practicing of the skills involved in throwing an American football "forward pass" which, in the actual game, would be caught by the pass receiver or an intercepting player or would drop to the ground. Therefore, neither *San Emerterio* nor

Grasso teach that the player delivers the ball against a target, receives the rebounding ball and delivers the ball against another target. This simply would not be a part of the pyramid-missile game of *San Emerterio* and simply would not be a part of the American football practice of *Grasso*.

Applicant now believes the application is in condition for allowance and respectfully requests the same.

Respectfully submitted,

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